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July 14, 2008

Magistrate Judge Michael H. Dolinger
United States Magistrate Judge
United States District Court,
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

JUL 16 2008

Re: Carter Securities, LLC v. Marketing Worldwide Corp., 07 Civ. 10671

Dear Magistrate Judge Dolinger:

This firm represents the defendant in this matter. Your Honor's endorsed order dated June 12 stayed this action until July 11 to enable new counsel for plaintiff to file a notice of appearance. That date has come and gone and no new counsel has appeared on behalf of plaintiff. Accordingly, defendant requests leave to seek dismissal of this action and to enter a judgment against plaintiff in the amount of \$3,289.77, which represents the travel expenses incurred by defendant's witnesses in connection with their depositions; Your Honor ruled, in an endorsed order dated May 15, 2008, that plaintiff was required to reimburse defendant for those expenses but plaintiff failed to do so.

Respectfully submitted,

Robert M. Kaplan

cc: Carter Securities, LLC

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ENDORSED ORDER
Defendant may move for appropriate
relief by no later than July 28,
2008. 7/17/08